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TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA

CRIMINAL CASE NO. 2:05CR20132-02

VERSUS

JUDGE MINALDI

DONALD RAY MALVEAUX

MAGISTRATE JUDGE KAY

CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

 X The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

 The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Lake Charles, Louisiana, this 25 day of August, 2009.



Patricia Minaldi
UNITED STATES DISTRICT JUDGE